

Owner of premises fined for unlicensed guesthouse

An owner of a premises was fined \$30,000 at the Kowloon City Magistrates' Courts on August 23 for the premises being used as an unlicensed guesthouse which contravened the Hotel and Guesthouse Accommodation Ordinance.

The court heard that officers of the Office of the Licensing Authority (OLA), Home Affairs Department identified a suspected unlicensed guesthouse that was being operated in Lai Chi Kok Road, Kowloon. The OLA officers posed as lodgers and rented a room in the concerned premises. According to the OLA's records, the guesthouse was not issued with a valid licence on the date of lodging. The OLA invoked section 5A(1) of the Hotel and Guesthouse Accommodation Ordinance, instigated prosecution against the owner of the premises.

Section 5A(1) of the Hotel and Guesthouse Accommodation Ordinance stipulates that if any premises are a hotel or guesthouse while no licence is in force for the premises, each of the owners and tenants of the premises commits an offence.

A department spokesman stressed that operating or managing an unlicensed hotel or guesthouse is a criminal offence and will lead to a criminal record if convicted. The owner of the subject premises, unless a statutory defence can be established, also commits a criminal offence. The maximum penalty is a fine of \$500,000 and three years' imprisonment. A six-month closure order may also be issued for the premises involved in a repeated offence.

The list of licensed hotels and guesthouses is available on the OLA's website (www.hadla.gov.hk) and the mobile application "Hong Kong Licensed Hotels and Guesthouses" for public reference. Anyone with information about suspected unlicensed hotels and guesthouses should immediately report it to the OLA through the hotline (tel: 2881 7498), by email (hadlaenq@had.gov.hk), or by fax (2504 5805) using the report form downloaded from the OLA website, or through the mobile application.